

**AGENDA FOR THE
REGULAR COUNCIL MEETING OF
MONDAY, MAY 1, 2006 AT 2:00 P.M.
CITY ADMINISTRATION BUILDING
COUNCIL CHAMBERS – 12TH FLOOR
202 “C” STREET
SAN DIEGO, CA 92101
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ITEM-1: ROLL CALL.

ITEM-10: INVOCATION.

ITEM-20: PLEDGE OF ALLEGIANCE.

NON-AGENDA PUBLIC COMMENT

Non-agenda public comment is taken on Tuesday pursuant to the San Diego Municipal Code Section 22.0101.

COUNCIL, INDEPENDENT BUDGET ANALYST, CITY ATTORNEY COMMENT

REQUESTS FOR CONTINUANCE

The Council will now consider requests to continue specific items.

=== LEGISLATIVE SCHEDULE ===

Adoption Agenda, Discussion, Other Legislative Items

ITEM-200: Ninth Supplement to the Agreement for the Partial Use and Occupancy of Qualcomm Stadium Between the City of San Diego and the San Diego Chargers. (Mission Valley Community Area. District All.)
MAYOR SANDERS' RECOMMENDATION: Adopt the resolution.

CLOSED SESSION NOTICES, DISCLOSURE, AND PUBLIC COMMENT

In accordance with the San Diego City Council Permanent Rule for Noticing and Conduct of Closed Session Meeting, adopted on February 28, 2005, this portion of the agenda is reserved for City Attorney comment, public comment, and City Council discussion of the content of the Closed Session Agenda. Public testimony on Closed Session items is taken in Open Session on Monday's, except when there is no Monday meeting. Public testimony on Closed Session items is always taken prior to the actual Closed Session. Closed Session may take place any time after public testimony, but is typically held on Tuesdays at 9:00 a.m. The Closed Session Agenda is separately available in the Office of the City Clerk and also posted at the same locations as the Open Session Agenda, including the City internet address.

NOTE: Members of the public wishing to address the City Council on any item on the Closed Session Agenda should reference the closed session item number from the Closed Session Docket on the speaker slip. Speakers may speak "in favor" or "in opposition" to the subject.

Information Item - No Action Required - The City Council shall:

1) Consider any oral report from the City Attorney or City negotiators; 2) Accept testimony from any member of the public wishing to address the City Council on any item appearing on the Closed Session Agenda; 3) Questions and discussion by Council Members, limited to the facts as disclosed by the City Attorney or City negotiators and the basis or justification for consideration of the matter in closed session 4) Refer matters discussed to closed session.

=== LEGISLATIVE SCHEDULE (Continued) ===

Public Notices

ITEM-250: Submission of Ballot Proposals

ITEM-251: **Notice** of Pending Final Map Approval – 3376 Grim Avenue.

Non-Docket Items

Adjournment in Honor of Appropriate Parties

Adjournment

=== EXPANDED CITY COUNCIL AGENDA ===

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS

RESOLUTIONS:

ITEM-200: Ninth Supplement to the Agreement for the Partial Use and Occupancy of Qualcomm Stadium Between the City of San Diego and the San Diego Chargers.

(See Report to the City Council No. 06-044. Mission Valley Community Area. District All.)

MAYOR SANDERS' RECOMMENDATION:

Adopt the following resolution:

(R-2006-)

Authorizing the Mayor to execute the Ninth Supplement to the Agreement, which shall allow the Chargers to discuss relocation of the Franchise to any site within the boundaries of the County of San Diego, including, but not limited to, any site within any city located in the County of San Diego;

Authorizing and directing the Mayor to take any necessary or appropriate actions to implement the intent and purposes of this resolution.

STAFF SUPPORTING INFORMATION:

On May 30, 1995 the City of San Diego and the Chargers Football Company entered into the 1995 Agreement for Partial Use and Occupancy of San Diego Jack Murphy Stadium. The Agreement has been supplemented on eight previous occasions to address improvements to the stadium, and to allow for and to incorporate amendments resulting from renegotiation of Agreement provisions. The greater San Diego County community shares the City's interest in the Chargers remaining a locally based team. The proposed Ninth Supplement to the Agreement will allow the Chargers additional time and opportunity to explore other San Diego County areas or jurisdictions where the team might relocate. Specifically, Supplement Number Nine would introduce the term "Permitted Territory" into Agreement Sections 1 - Definitions, and Section 31 - Negotiations to Relocate Franchise. The term "Permitted Territory" shall mean "any site within the boundaries of the County of San Diego, including, but not limited to, any site within any city located in the County of San Diego." (see Ninth Supplement)

FISCAL CONSIDERATIONS:

There are no known financial consequences associated with this action.

PREVIOUS COUNCIL and/or COMMITTEE ACTION:

The City Council has considered and approved eight prior supplements to the overall Lease Agreement since 1995.

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:

KEY STAKEHOLDERS AND PROJECTED IMPACTS:

Chargers Football Company, LLC

Waring/Froman

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PUBLIC NOTICES:

Items are listed under Public Notice as a matter of public record only. These items do not require Council action and there is no public testimony.

ITEM-250: SUBMISSION OF BALLOT PROPOSALS

City Council Policy 000-21 establishes the procedure for submittal of ballot proposals. The Council Policy states that members of the public shall submit proposals to the City Clerk, who shall then transmit them promptly to the Rules Committee for review and comment. The proposals must be submitted in time to allow the City Clerk to list on the Council Docket 127 days prior to the election the ballot proposals which have been referred back to Council following Rules Committee review.

Therefore, the City Clerk's Office has established the following administrative guidelines for the November 7, 2006 election:

<u>DAY</u>	<u>DATE</u>	<u>DAYS BEFORE ELECTION</u>	<u>EVENT</u>
Friday	6/16/2006	144	LAST DATE (10:00 a.m.) for public, departments, and agencies to submit ballot proposals to City Clerk for review by Rules Committee
Wednesday	6/21/2006	139	Rules Committee review of ballot proposals
Monday	6/26/2006	134	Council Docket (PUBLIC NOTICE) lists proposals referred by Rules Committee
Monday	7/10/2006	120	Council adopts propositions for ballot; directs City Attorney to prepare ordinances
Monday	7/31/2006	99	Council adopts ordinances prepared by City Attorney
Friday	8/11/2006	88	Last day for City Clerk to file with Registrar of Voters all elections material
Thursday	8/24/2006	75	Last day to file ballot arguments with City Clerk

If you have questions, please contact the Office of the City Clerk at (619) 533-4050.

PUBLIC NOTICES: (Continued)

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ITEM-251: **Notice** of Pending Final Map Approval – 3376 Grim Avenue.

Notice is hereby given that the City Engineer has reviewed and will approve on this day the subdivision of land shown on that certain final map entitled “3376 Grim Avenue” (T.M. No. 81839/PTS No. 73512) located on the westerly side of Grim Avenue between Thorn Street and Upas Street in the Greater North Park Community Plan Area in Council District 3, a copy of which is available for public viewing at the Office of the San Diego City Clerk. Specifically, the City Engineer has caused the map to be examined and has made the following findings:

- (1) The map substantially conforms to the approved tentative map, and any approved alterations thereof and any conditions of approval imposed with said tentative map.
- (2) The map complies with the provisions of the Subdivision Map Act and any local ordinances applicable at the time of approval of the tentative map.
- (3) The map is technically correct.

Said map will be finalized and recorded unless a valid appeal is filed. Interested parties will have 10 calendar days from the date of this Council hearing to appeal the above findings of the City Engineer to the City Council. A valid appeal must be filed with the City Clerk no later than 2:00 p.m., 10 calendar days from the date of this Notice stating briefly which of the above findings made by the City Engineer was improper or incorrect and the basis for that conclusion. If you have questions about the approval findings or need additional information about the map or your appeal rights, please feel free to contact Deputy City Engineer Lee Hennes at (619) 446-5291.

NON-DOCKET ITEMS

ADJOURNMENT IN HONOR OF APPROPRIATE PARTIES

ADJOURNMENT